GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Fisheries Department – Sri Y. Balaramaiah, Deputy Director of Fisheries (Retd) and expired on 24.12.2013 - Further action abated – Release of remaining part of full pension to Smt Y. Padma W/o late Sri Y. Balaramaiah, Deputy Director of Fisheries (Retd) – Orders – Issued.

ANIMAL HUSBANDRY, DAIRY DEVELOPMENT & FISHERIES (Dy&Vig(2)) DEPARTMENT

G.O.RT.No. 150 Dated: 09.06.2015

Read the following:-

1. G.O.Ms.No.13, AHDD & F Dept., dated:23.01.2001.
2. G.O.Ms.No.126, AHDD & F Dept., Dt.25.09.2001.
3. Govt.Memo.No.8738/VS/2000-28, Dt. 02.11.2006.
4. G.O.Rt.No.179, AHDD & F Dept., dated: 15.04.2010.
5. From the Commissioner of Fisheries, Lr.No.2599/A1/2004, dated: 10.06.2014, along with the representation of Smt Y. Padma, W/o late Sri Y. Balaramaiah, Deputy Director of Fisheries (Retd).
6. Govt.Memo.No.8738/Dy&Vig(2)/2000, dated: 01.09.2014.
7. Orders of the Hon'ble High Court in Criminal A.M.P.No.2071/2014 in Criminal Appeal No.1341/2007.
8. G.O.Ms.No.76, Finance (Pension-1) Dept., Dt. 02.05.2011

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O R D E R

In the G.O 1st read above, Sri Y. Balaramaiah had been kept under suspension, who was trapped by Anti-Corruption Bureau, on 08.11.2000, while working as Asst. Director of Fisheries, Guntur. Subsequently, Sri Y. Balaramaiah has been reinstated into service and posted as Asst. Director of Fisheries (Coast), Nellore.

2. In the G.O 2nd read above, Govt., have accorded sanction of prosecution against Sri Y. Balaramaiah, Asst. Director of Fisheries, to prosecute in a court of law. The Special Judge for SPE & ACB., cases, Vijayawada has disposed the CC No.28/2001 on 28.01.2006 stating that "accused officer (i.e., Sri Y. Balaramaiah is found not guilty for the offences under section 7 and 13 (1)(d) read with 13(2) of the P.C Act, 1988 and he is acquitted u/s 248(1) Cr.P.C.

3. In the reference 3rd read above, Govt., have permitted the Anti-Corruption Bureau to file Cr. Appeal before the Hon'ble High Court against the judgment of SPE & ACB., Court, Vijayawada in CC No.28/2001, dated 28.01.2006. The Criminal Appeal No.1341/2007 filed before the Hon'ble High Court.

4. Sri Y. Balaramaiah was retired from service on attaining the age of Superannuation on 31.12.2009 as Deputy Director of Fisheries, pending finalization of Criminal Appeal No.1341/2007 filed before the Hon'ble High Court. Government have sanctioned provisional pension under rule 53(1) of Andhra Pradesh Revised Pension Rules, 1980, to an extent of 75% from the normal eligible pension to Sri Y. Balaramaiah, Deputy Director of Fisheries (Retd), vide G.O 4th read above.

(PTO)

5. In the reference 5th read above, the Commissioner of Fisheries, Andhra Pradesh, Hyderabad has informed that Sri Y. Balaramaiah, Deputy Director of Fisheries (Retd) expired on 24.12.2013 and forwarded the representation of Smt Y. Padma W/o Sri Y. Balaramaiah, Deputy Director of Fisheries (Retd), wherein she has requested the Government to close the case pending against her husband and requested to sanction full pension benefit w.e.f the date of retirement of his husband i.e., from 01.01.2010.

6. In the reference 6th read above, on receipt of the representation of Smt. Y. Padma W/o late Sri Y. Balaramaiah, Deputy Director of Fisheries (Retd) along with death certificate of deceased officer, the Director General, Anti-Corruption Bureau, has been requested to take necessary steps to apprise the matter before the Hon'ble High Court and see that, the Criminal Appeal No.1341/2007, may be closed and send his report to Government, for taking further action in the matter.

7. In the reference 7th read above, the Hon'ble High Court, Hyderabad pronounced the order in Cri.A.M.P.No.2071/2014 in Criminal Appeal No.1341/2007, dated: 31.12.2014 as detailed below:-

> On perusal of death certificate of Y. Balaramaiah (AO) and Memo, dated: 01.09.2014 addressed by the Principal Secretary to Government, permission is accorded to the prosecution to withdraw the appeal. Accordingly, Crl.A.M.P.No.2071 of 2014 is ordered. Consequently, the Criminal Appeal is dismissed as abated.

8. After careful consideration of the material available on record and as per orders issued in the G.O.8th read above, Government have decided to release the remaining part of 25% of full pension to Smt Y. Padma W/o late Sri Y. Balaramaiah, Deputy Director of Fisheries (Retd) and further action against late Sri Y. Balaramaiah, Deputy Director of Fisheries (Retd) stands abated.

9. Now, in exercise of powers conferred under rule 9 of sub-rule (8) of Andhra Pradesh Revised Pension Rules, 1980 and in terms of orders issued in G.O 8th read above, Government hereby accord sanction to release of the remaining part of 25% of full pension to Smt Y. Padma W/o late Sri Y. Balaramaiah, Deputy Director of Fisheries (Retd), and further action against late Sri Y. Balaramaiah, Deputy Director of Fisheries (Retd) hereby stands abated.

10. The Commissioner of Fisheries, Andhra Pradesh, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. MANMOHAN SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To
Smt Y. Padma W/o late Sri Y. Balaramaiah, Deputy Director of Fisheries (Retd),
Bharathi Nagar, Kothuru, Nellore.1, through the Commissioner of Fisheries
Andhra Pradesh, Hyderabad.
The Commissioner of Fisheries, Andhra Pradesh, Hyderabad.
Copy to:
The Accountant General, Andhra Pradesh, Hyderabad.
The Director of Treasuries and Accounts, A.P., Hyderabad.
The Pay and Accounts Officer, A.P., Hyderabad.
The A.P. Vigilance Commission.
The Director General, Anti-Corruption Bureau, A.P., Hyderabad.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER